

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

THOMAS OZZBORN,

Plaintiff,

**STIPULATION OF
DISMISSAL**

-against-

9:17-CV-1039
(MAD/ATB)

THE STATE OF NEW YORK, THE NEW YORK STATE
DEPARTMENT OF CORRECTIONS AND COMMUNITY
SUPERVISION, NEW YORK STATE CORRECTIONS
OFFICER MATTHEW CORNELL, Individually and in his
Official capacity,

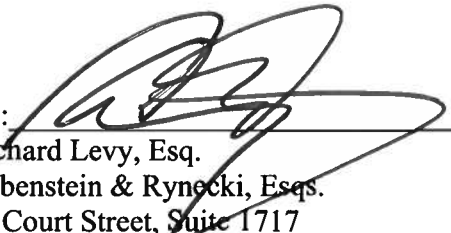
Defendants.

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys for Plaintiff, **THOMAS OZZBORN**, and Defendant, **OFFICER MATTHEW CORNELL**, Individually and in his Official capacity, parties to the above entitled-action, that, whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, the above-entitled action be and the same hereby is dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) on the particular circumstances of this case, on the following terms and conditions, which it is agreed are of and shall have no legal precedential value in any other case either between the parties to this case or any other parties:

Plaintiff discontinues this action with prejudice and without damages, costs, interest or attorney's fees, and discharges and releases defendant, **OFFICER MATTHEW CORNELL**, of any and all claims, demands, or causes of actions, known or unknown, now existing or hereafter arising, whether presently asserted or not, which relate in any way to the subject matter of this action, and further agrees to discontinue and/or not to commence or to pursue any litigation or claims against the defendant pertaining to the underlying facts, circumstances or incidents that gave rise to the aforementioned action, or any results of the aforementioned facts, circumstances or incidents.

This Stipulation of Dismissal may be signed in counterparts with signatures by facsimile or electronic mail considered as originals.

Dated: OCTOBER 15, 2021
Brooklyn, New York

By: 
Richard Levy, Esq.
Rubenstein & Rynecki, Esqs.
16 Court Street, Suite 1717
Brooklyn, New York 11241

Dated: _____, 2021
Syracuse, New York

LETITIA JAMES
Attorney General of the State of New York
Attorney for Defendant

By: _____
Aimee Cowan, Esq.
Office of the Attorney General
300 S. State Street, Suite 300
Syracuse, New York 13202
Bar Roll No. 516178

Dated: _____, 2021
Albany, New York

SO ORDERED:

HON. MAE A. D'AGOSTINO
UNITED STATES DISTRICT COURT JUDGE